

REMARKS/ARGUMENTS

Claims 1-17 are pending in the instant application. Claims 1-3 and 6-14 stand rejected under 35 USC 102(b) as being anticipated by Strecker (US 3898044). Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over Strecker in view of Lu (“Characterisation of Closed-cell Cellular Aluminium Alloys” J. Mat. Sci. 2001 36:2773-86). Claim 5 stands rejected under 35 USC 103(a) as being unpatentable over Strecker in view of Homer (US 4582638). Claims 15-17 stand rejected under 35 USC 103(a) as being unpatentable over Strecker. None of the claims have been amended. Reconsideration is respectfully requested.

35 USC § 102

Claims 1-3 and 6-14 stand rejected under 35 USC 102(b) as being anticipated by Strecker (US 3898044). This rejection is respectfully traversed.

Claim 1 relates to a device for producing a fluid containing a radioactive constituent comprising, amongst other things, first and second compressible buffers at least partially surrounding first and second needles penetrating a shielded isotope container. Applicant respectfully submits that, contrary to what the Examiner states, there is no teaching in Strecker that the device described therein comprises compressible buffers, as recited by claim 1 of the present invention. The “darker cross-hatching” in Figure 7 to which the Examiner refers is not defined by Strecker. But as seen clearly in Figure 7, the supposed ‘buffer’ is at best merely a pierceable septum. Additionally, this septum (of Strecker Figure 7) is not

mounted about the needles as required by claim 1. The buffers of the present invention are mounted to the needles so as to ensure that an inserted needle will sufficiently penetrate into the isotope container. Furthermore, there is no part of Strecker that discloses a spacer as defined by present claim 1. Applicant therefore respectfully submits that Strecker does not disclose all the features of claim 1. Claim 1 is therefore novel over Strecker. Additionally, by virtue of being dependent on claim 1, claims 2, 3 and 6-13 are similarly novel over Strecker. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 14 relates to a method of constructing a radioisotope generator in which one of the steps is that of mounting first and second compressible buffers so as to surround at least partially first and second hollow needles penetrating a shielded isotope container. Strecker does not teach mounting buffers to the needles as taught and claimed by the present invention. The Examiner merely refers to a septum in Strecker which is neither mounted to a needle nor ensures the needle properly penetrates therethrough. Strecker does not even teach a method of constructing a radioisotope generator wherein compressible buffers are required in the construction. Applicant therefore respectfully submits that as Strecker does not disclose all the features of claim 14, claim 14 is therefore novel over Strecker. Reconsideration and withdrawal of the rejection are respectfully requested.

35 USC § 103

Claim 4 stands rejected under 35 USC 103(a) as being unpatentable over Strecker in view of Lu ("Characterisation of Closed-cell Cellular Aluminium Alloys" J. Mat. Sci. 2001 36:2773-86). This rejection is respectfully traversed.

Applicants respectfully submit that as claim 4 depends from allowable claim 1, it is axiomatic that claim 4 is also allowable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claim 5 stands rejected under 35 USC 103(a) as being unpatentable over Strecker in view of Homer (US 4582638). This rejection is respectfully traversed.

Applicants respectfully submit that as claim 5 depends on claim 1, it is axiomatic that claim 5 is similarly allowable. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 15-17 stand rejected under 35 USC 103(a) as being unpatentable over Strecker. This rejection is respectfully traversed.

Applicants respectfully submit that as claims 15-17 all depend from allowable claim 14, claims 15-17 are similarly allowable. Reconsideration and withdrawal of the rejection are respectfully requested.

In view of the remarks hereinabove, Applicants respectfully submit that the instant application, including claims 1-17, is patentably distinct over the prior art. Favorable action thereon is respectfully requested.

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Any questions with respect to the foregoing may be directed to Applicants' undersigned counsel at the telephone number below.

Respectfully submitted,

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